

**REMARKS**

**I. Introduction**

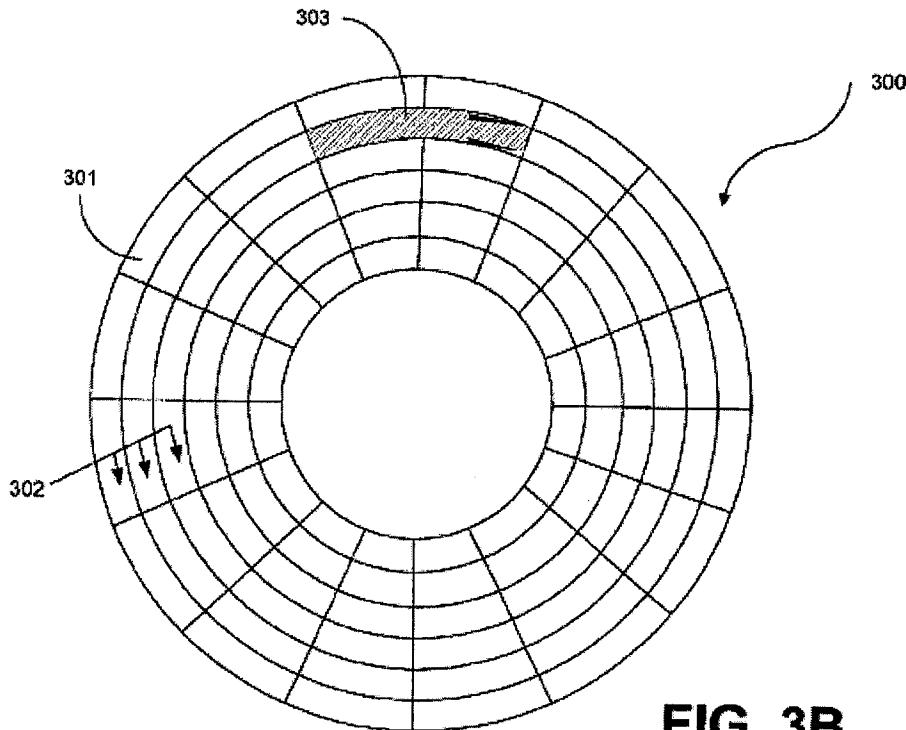
Claims 1-7 are pending and stand rejected. Previously, claims 8-16 were cancelled. With this response, claim 1 is amended. Claim 1 is the only independent claim.

**II. The Rejections**

Claims 1-7 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2003/0105918 to Plourde. These rejections are traversed for the reasons described below.

**III. The Claims are Allowable**

Plourde describes a file allocation system for a hard disk drive. A file allocation table (FAT) 500 is used to keep track of used and unused portions of the disk. The disk 300 is divided into tracks 303 of two or more sectors 301. Two or more segments on a particular track make up a cluster. See Plourde, FIG. 3B (reproduced below for the convenience of the Examiner) and Plourde, paragraph 65.



**FIG. 3B**

Appln No. 10/700,802  
Response to Office Action dated April 28, 2009

As the disk drive writing head moves across the disk, clusters that are active are constantly changed. That is, some are allocated, while others are deallocated. When a cluster is deallocated, it is removed from the table 500 so that it can be written over. Plourde, paragraph 90. There is no physical movement or copying of the information that is actually in the cluster to another portion of memory. Put another way, the information on the physical disk that includes the to-be-deleted cluster is not moved but merely written over when deallocated.

Plourde does not teach or suggest physically copying only the selected first portion of the file from the second physical memory area to a fourth physical memory area that is appended to the free memory list without copying the second portion of the file contained in the third physical memory area and resulting in the second physical memory area being deallocated all as recited in claim 1. To the contrary, there is no physical copying of anything in Plourde. Moreover, there is no separately stored free memory list that has appended to it a portion of a file to be deleted.

Since at least one element of claim 1 is not taught or suggested by Plourde, it is submitted that claim 1 is not anticipated Plourde. The remaining claims depend directly or indirectly upon claim 1. Since claim 1 is not anticipated by Plourde, it is submitted that the remaining dependent claims are also not anticipated by Plourde.

#### IV. Conclusion

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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